

State of Minnesota

District Court

County of Olmsted

Third Judicial District

Jason Hollins,

Court File Number:

Case Type:

Plaintiff,

vs.

Summons

Olmsted County,
Steven C. VonWald, individually as
well as in his official capacity as Sheriff
of Olmsted County, and David E. Mueller,
individually as well as in his official
capacity as Sheriff of Olmsted County,

Defendants.

THIS SUMMONS IS DIRECTED TO THE ABOVE-NAMED DEFENDANTS:

1. **YOU ARE BEING SUED.** The Plaintiff have started a lawsuit against you. The Plaintiff's Complaint against you is attached to this summons. Do not throw these papers away. They are official papers that affect your rights. You must respond to this lawsuit even though it may not yet be filed with the Court and there may be no court file number on this summons.

2. **YOU MUST REPLY WITHIN 20 DAYS TO PROTECT YOUR RIGHTS.** You must give or mail to the person who signed this summons a written response called an Answer within 20 days of the date on which you received this Summons. You must send a copy of your Answer to the person who signed this summons located at:

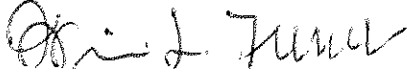
627 Woodhaven Court N.E., Rochester, MN. 55909

3. **YOU MUST RESPOND TO EACH CLAIM.** The Answer is your written response to the Plaintiff's Complaint. In your Answer you must state whether you agree or disagree with each paragraph of the Complaint. If you believe the Plaintiffs should not be given everything asked for in the Complaint, you must say so in your Answer.


4. **YOU WILL LOSE YOUR CASE IF YOU DO NOT SEND A WRITTEN RESPONSE TO THE COMPLAINT TO THE PERSON WHO SIGNED THIS SUMMONS.** If you do not Answer within 20 days, you will lose this case. You will not get to tell your side of the story, and the Court may decide against you and award the Plaintiff everything asked for in the complaint. If you do not want to contest the claims stated in the complaint, you do not need to respond. A default judgment can then be entered against you for the relief requested in the complaint.

5. LEGAL ASSISTANCE. You may wish to get legal help from a lawyer. If you do not have a lawyer, the Court Administrator may have information about places where you can get legal assistance. **Even if you cannot get legal help, you must still provide a written Answer to protect your rights or you may lose the case.**

6. ALTERNATIVE DISPUTE RESOLUTION. The parties may agree to or be ordered to participate in an alternative dispute resolution process under Rule 114 of the Minnesota General Rules of Practice. You must still send your written response to the Complaint even if you expect to use alternative means of resolving this dispute.



Plaintiff's attorney's signature



Dated

William L. French
Print or type plaintiff's attorney's name

STATE OF MINNESOTA
COUNTY OF OLMTED

DISTRICT COURT – CIVIL DIVISION
THIRD JUDICIAL DISTRICT

Jason Hollins,

Plaintiff,

Court File No.:

vs.

Olmsted County,
Steven C. VonWald, individually as
well as in his official capacity as Sheriff of
Olmsted County, and David E. Mueller,
individually as well as in his official capacity
as Sheriff of Olmsted County,

Defendants.

COMPLAINT

The Plaintiff, for his civil action against the Defendants, and each of them,
states and alleges as follows that:

COUNT ONE.

1. At all times relevant herein, Plaintiff was a citizen of the United States.
2. At all times relevant herein, Olmsted County was a governmental entity in the State of Minnesota, having as its seat, Rochester, Minnesota.
3. As of January, 2011, Steven C. VonWald ("VonWald") was the Sheriff of Olmsted County and responsible for the Adult Detention Center ("ADC").

4. As of January, 2011, David E. Mueller ("Mueller") was the Sheriff of Olmsted County and responsible for the ADC.

4. As of January, 2011, Plaintiff was a detainee in the ADC.

5. On or about 26 January 2011, one or more detainees assaulted and battered Plaintiff.

6. As a direct result of said assault and battery, Plaintiff was seriously injured and incurred and will continue to incur hospital and medical expenses, has suffered and will continue to suffer bodily and mental harm, and will in the future incur a diminution of earning capacity, all to Plaintiff's damages.

7. The negligence of VonWald and/or Mueller by failing, inter alia, property to train and supervise the persons who worked for them was a direct cause of the above described incident.

COUNT TWO.

8. Plaintiff re-alleges Count One in the within Count.

9. Defendants were aware of the substantial risk of the attack on Plaintiff.

10. Defendants with deliberate indifference to the Plaintiff's need to be protected from such attack, failed to protect the Plaintiff.

11. As a direct result of said attack, Plaintiff was injured as described above.

12. Defendants were acting under the color of state law.

13. Defendants are liable to Plaintiff pursuant to 28 U.S.C. Sec. 1983 for the injuries suffered by Plaintiff.

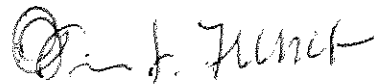
WHEREFORE, Plaintiff demands judgment against Defendants, and each of them, as follows:

1. For compensatory damages in an amount of \$50,000 on each Count herein;
2. For his attorney fees and costs of investigation incurred herein;
3. For pre-verdict interest as permitted by Minn. Stat. Sec. 549.09;
4. For his costs and disbursements incurred herein; and,
5. For such other and further relief as the court may deem just and equitable.

ACKNOWLEDGEMENT

The undersigned acknowledges, in accordance with Minn. Stat. Sec. 549.211(1), that costs, disbursements, and reasonable attorney and witness fees may be awarded to the opposing party or parties pursuant to Minn. Stat. Sec. 549.211(2).

DATE: 24 January 2016



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